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10 Attorneys for Plaintiff  
FACEBOOK, INC.

11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION  
15

16 FACEBOOK, INC.,

17 Plaintiff,

18 v.

19 ADAM GUERBUEZ; ATLANTIS BLUE  
20 CAPITAL; AND DOES 1-25,

21 Defendants.  
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Case No. C08 03889 JF HRL

**DECLARATION OF THOMAS J.  
GRAY PURSUANT TO CIVIL  
LOCAL RULE 7-11 AND 79-5(B) IN  
SUPPORT OF PLAINTIFFS'  
ADMINISTRATIVE MOTION TO  
SEAL PLAINTIFF'S:**

**(1) APPLICATION FOR DEFAULT  
JUDGMENT AGAINST ADAM  
GUERBUEZ AND ATLANTIS BLUE  
CAPITAL**

**(2) EXHIBIT N TO THE  
DECLARATION OF P. WAYNE  
HALE IN SUPPORT OF  
APPLICATION FOR DEFAULT  
JUDGMENT AGAINST ADAM  
GUERBUEZ AND ATLANTIS BLUE  
CAPITAL**

1 I, Thomas J. Gray, declare as follows:

2 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel  
3 to Plaintiff Facebook, Inc. I am licensed to practice law in the State of California. I have  
4 personal knowledge of the facts and circumstances set forth in this Declaration. If called as a  
5 witness, I could and would testify competently to the matters set forth herein. I make this  
6 Declaration pursuant to Civil L.R. 7-11 and 79-5(b).

7 2. Good cause exists for sealing Plaintiff's (1) Application For Default Judgment  
8 Against Adam Guerbuez And Atlantis Blue Capital and (2) Exhibit N to the Declaration Of P.  
9 Wayne Hale In Support Of Application For Default Judgment Against Adam Guerbuez And  
10 Atlantis Blue Capital.

11 3. Plaintiffs' Application For Default Judgment Against Adam Guerbuez And  
12 Atlantis Blue Capital and Exhibit N to the Declaration Of P. Wayne Hale In Support Of  
13 Application For Default Judgment Against Adam Guerbuez And Atlantis Blue Capital contain  
14 commercially sensitive and/or confidential information that, if released to the general public, will  
15 adversely affect Facebook.

16 4. This Administrative Motion is being made pursuant to Civil L.R. 79-5, which  
17 requires a Court order to seal documents and does not permit sealing by stipulation. A stipulation  
18 could not be obtained because Defendant has not appeared or responded in this case in any way.

19 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
20 knowledge. Executed this 10th day of November, 2008, at Irvine, California.  
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1 Dated: November 10, 2008

I. NEEL CHATTERJEE  
THOMAS J. GRAY  
P. WAYNE HALE  
Orrick, Herrington & Sutcliffe LLP

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5 /s/ Thomas J. Gray

6 Thomas J. Gray  
7 Attorneys for Plaintiff  
8 FACEBOOK, INC.  
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